

02-25-04

PTO/SB/21 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11 +

Application Number

10/626,907

Filing Date

July 25, 2003

First Named Inventor

Van Dyke

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

SwRI-2966-03

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) Forms PTO/SB/08A & PTO/SB/08B -74
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	References;
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	2) Certificate of Mailing 37 CFR 1.10; and
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	3) Return Receipt Postcard.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 50-0997 (SwRI-2966-03), maintained by Paula D. Morris & Associates, P.C. d/b/a The Morris Law Firm, P.C.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paula D. Morris, Reg. No. 31,516
Signature	<i>Paula D. Morris</i>
Date	2-24-04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Please see attached certificate of mailing under 37 CFR 1.10		
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Van Dyke et al.

Serial No.: 10/626,907

Filed: July 25, 2003

For: Bioactive Coating For
Medical Devices

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Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Atty. Docket: SwRI-2966-03

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT


Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the references listed on the attached Form PTO-SB/08A and Form PTO-SB/08B be considered by the Examiner and made of record.

Many of the attached references are submitted because they were cited during related trade secret litigation. This Supplemental Information Disclosure Statement is not to be considered as a representation that a search has been made or that no other material information as defined under 37 C.F.R. § 1.56 exists.

The commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-0997 (SWRI-2966-03), maintained by Paula D. Morris & Associates, P.C..

Respectfully submitted,


Paula D. Morris, Registration No. 31,516
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PTO/SB/08A (10-01)
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/626.907		
		Filing Date	07/25/2003		
		First Named Inventor	MARK VAN DYKE		
		Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	9	Attorney Docket Number	SWRI-2966-03

U.S. PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 922.692	05-25-1909	B. B. GOLDSMITH	
		US- 926.999	07-06-1909	CARL NEUBERG	
		US- 960.914	06-07-1910	ARTHUR HEINEMANN	
		US- 3.642.498	02-15-1972	ANKER	
		US- 4.423.032	12-27-1983	ABE	
		US- 4.474.694	10-02-1984	COCO	
		US- 4.570.629	02-18-1986	WIDRA	
		US- 4.751.074	06-14-1988	MATSUNAGA	
		US- 4.895.722	01-23-1990	ABE	
		US- 5.047.249	09-10-1991	ROTHMAN	
		US- 5.505.952	04-09-1996	JIANG	
		US- 5.679.819	10-21-1997	JONES	
		US- 5.712.252	01-27-1998	SMITH	
		US- 5.955.549	09-21-1999	CHANG	
		US- 6.159.495	12-12-2000	TIMMONS	
		US- 6.159.496	12-12-2000	BLANCHARD	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		EP 0 298 684 A3	01-11-1989	Unilever PLC		
		EP 0454 600 A1	10-30-1991	ICP FRANCE		
		JP 4-189833	07-08-1992	TAKEDA Chemical		
		WO 98/08550	03-05-1998	FUSION MEDICAL		
		WO 93/22397	11-11-1993	MERCK		
		EP 0 468 797 A2	01-29-1992	NIIGATA Hi-Spinner		

Examiner Signature	Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

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			Examiner Name	Not Yet Assigned	
Sheet	2	of	9	Attorney Docket Number	SWRI-2966-03

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		Number-Kind Code ² (if known)			
		US- 5,073,294	12-17-1991	SHANNON ET AL.	
		US- 5,202,053	04-13-1993	SHANNON	
		US- 5,563,230	10-08-1996	HSU ET AL.	
		US- 5,989,461	11-23-1999	COATES ET AL.	
		US- 5,654,471	08-05-1997	ZAHN ET AL.	
		US- 5,833,880	11-10-1998	SIEMENSMEYER	
		US- 6,090,308	07-18-2000	COATES ET AL.	
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Examiner Initials ¹	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	-Number ⁴ - Kind Code ⁵ (if known)				
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known	
		Application Number	10/626,907
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	07/25/2003
		First Named Inventor	MARK VAN DYKE
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	SWRI-2966-03
Sheet	3	of	9

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		J.M. GILLESPIE, et al., "Amino Acid composition of a Sulphur-Rich Protein from Wool," BIOCHIM. BIOPHY. ACTA, (1960) pp. 538-539; Vol. 39.	
		KEITH H. GOUGH, et al., "Amino Acid Sequences of alpha -Helical Segments from S-Carboxymethylkeratine-A: Complete Sequence of a Type-I Segment," BIOCHEM. J. (1978), pp. 373-385; Vol. 173	
		THOMAS C. ELLEMAN, et al., "Amino Acid Sequences of alpha -Helical Segments from S-Carboxymethylkeratine-A: Statistical Analysis," BIOCHEM. J. (1978), pp. 387-391, Vol. 173.	
		DAVID McC. HOGG, et al., "Amino Acid Sequences of alpha-Helical Segments from S-Carboxymethylkeratine-A: Tryptic and Chymotryptic Peptides from a Type-II Segment," BIOCHEM. J. (1978), pp. 353-363; Vol. 173.	
		W. GORDON CREWETHER, et al., "Amino Acid Sequences of alpha -Helical Segments from S-Carboxymethylkeratine-A: Complete Sequence of a Type-II Segment," BIOCHEM. J. (1978), pp. 365-371; Vol. 173.	
		C. EARLAND, et al., "Studies on the Structure of Keratin: II. The Amino Acid Context of Fractions Isolated from Oxidized Wool," BIOCHEMICA ET BIOPHYSICA ACTA (1956), pp. 405-411, Vol. 22.	
		J.M. GILLESPIE, et al., "Preparation of an Electrophoretically Homogeneous Keratin Derivative from Wool," Short Communications, Preliminary Notes, (1953), pp. 481-482, Vol. 12.	
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		R.J. BLAGROVE, et al., "The Electrophoresis of the High-Tyrosine Proteins of Keratins on Cellulose Acetate Strips," Comp. Biochem. Physiol., (1975) pp. 571-572, Vol 50B.	
		ROBERT C. MARSHALL, et al., "Successful Isoelectric Focusing of Wool Low-Sulphur Proteins," Journal of Chromatography, (1979) pp. 351-356, Vol. 172.	
		ROBERT C. MARSHALL, "Characterization of the Proteins of Human Hair and Nail by Electrophoresis," The Journal of Investigation Dermatology, (1983) pp. 519-524, Vol. 80.	

Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	07/25/2003
		First Named Inventor	MARK VAN DYKE
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	SWRI-2966-03
Sheet	4	of	9

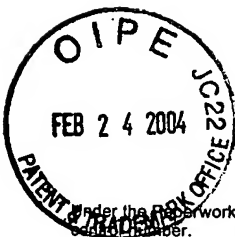
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		W. G. CREWETHER, et al. "Helix-Rich Fraction from the Low-Sulphur Proteins of Wool," Nature, (July 17, 1965) P. 295, No. 4994.	
		H. LINDLEY, et al., "Occurrence of the Cys-Cys Sequence in Keratins," J. Mol. Biol., (1967) pp. 63-67, Vol. 30.	
		ROBERT C. MARSHALL, "Genetic Variation in the Proteins of Human Nail," The Journal of Investigative Dermatology, (1980) pp. 264-269, Vol. 75.	
		M. E. CAMPBELL, et al., "Compositional Studies of High-and Low-Crimp Wools," Aust. J. Biol. Sci., (1972) pp. 977-87, Vol. 25.	
		P.J REIS, et al. "A Relationship between Sulphur Content of Wool and Wool Production by Merino Sheep," Aust. J. Biol. Sci., (1967) pp. 153-63, Vol. 20.	
		ROBERT C. MARSHALL, et al., "The Keratin Proteins of Wool, Horn and Hoof from Sheep," Aust. J. Biol. Sci, (1977) pp. 389-400, Vol 30.	
		J.M. GILLESPIE. "Reaction of Sodium Borohydride with Wool," Nature, (January 31, 1959) pp.322-23, Vol. 183.	
		DAVID R. GODDARD, et al., "A Study on Keratin," J. Bio. Chem., (1934) pp. 605-14, Vol. 106.	
		L.M. DOWLING, et al., "Isolation of Components from the Low-Sulphur Proteins of Wool by Fractional Precipitation Preparative Biochemistry," (1974) pp. 203-226, Vol. 4 (3).	
		W.G. CREWETHER, et al., "Reduction of S-Carboxymethylcysteine and Methionine with Sodium in Liquid Ammonia," Biochim. Biophys. Acta, (1969) pp. 609-611, Vol. 164.	
		W.T. AGAR, et al., "The Isolation from Wool of a Readily Extractable Protein of Low Sulphur Content," Biochim. Biophys Acta, (1958) pp. 225-226, Vol. 27.	

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Sheet	5	of	9

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		H. LINDLEY, et al., "The Reactivity of the Disulphide Bonds of Wool," Biochem J. (1974) pp. 515-523, Vol. 139.	
		M. SCHORNIG, et al., "Synthesis of Nerve Growth Fractor mRNA in Cultures of Developing Mouse Whisker Pad, A Peripheral Target Tissue of Sensory Trigeminal Neurons," The Journal of Cell Biology. (March 1993) nn. 1471-1479, Volume 120, Number 6.	
		S. MITSUI, et al., "Genes for a Range of Growth Factors and Cyclin-Dependent Kinase Inhibitors are Expressed by Isolated Human Hair Follicles," British Journal of Dermatology (1997) pp. 693-98, Vol. 137.	
		B.K. FILSHIE, et al., "The Fine Structure of alpha -Keratin," J. Mol. Biol. (1961) pp. 784-786, Vol. 3.	
		R.D.B. FRASER, et al., "Structure of alpha -Keratin," Nature, (February 28, 1959) pp. 592-94, Vol. 183.	
		R.D.B. FRASER, et al. "Helical Models of Feather Keratin Structure," Nature, (September 22, 1962) pp. 1167-1168, Vol. 195.	
		B.K.FILSHIE, et al., "An Electron Microscope Study of the fine Structure of Feather Keratin," The Journal of Cell Biology (1962) pp. 1-12, Volume 13.	
		W.G. CREWOTHER, et al., "Low-Sulfur Proteins from alpha -Keratins. Interrelationships between their Amino Acid Compositions, alpha-Helix Contents, and the Supercontraction of the Parent Keratin," BIOPOLYMERS (1966) pp. 905-916, Vol. 4.	
		G.M. BHATNAGAR, et al., "The Conformation of the High-Sulphur Proteins of Wool 1. The Preparation and Properties of a Water-Sulphur Metakeratin," Int. J. Protein Research I. (1969), nn. 199-212.	
		W.G. CREWOTHER, et al., "The Preparation and Properties of a Helix-Rich Fraction Obtained by Partial Proteolysis of Low Sulphur S-Carboxymethylkerateine from Wool," (1967) The Journal of Biological Chemistry (Issue of October 10), pp. 4310-4319, Vol. 242, No 19.	
		D.A.D. PARRY, et al., "Structure of alpha -Keratin: Structural Implication of the Amino Acid Sequences of the Type 1 and 11 Chain Segments," J. Mol. Biol. (1977) pp. 449-454, Vol. 113.	

Examiner Signature		Date Considered	
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Sheet	6	of	9	Attorney Docket Number	SWRI-2966-03

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		E. SUZUKI, et al., "X-Ray Diffraction and Infrared Studies of an alpha -Helical Fragment from alpha -Keratin," J. Mol. Biol. (1973) pp. 275-278, Vol. 73.	
		G.M. BHATNAGAR, et al., "The Conformation of the High-Sulphur Proteins of Wool: II. Difference Spectra of Keratine-B," Int. J. Research, (1969) pp. 213-219.	
		DEAN R. HEWISH, et al., "In Vitro Growth and Differentiation of Epithelial Cells Derived from Post-Embryonic Hair Follicles," Aust. J. Biol. Sci., (1982) pp. 103-109, Vol. 35.	
		A.M. DOWNES, et al., "A Study of the Proteins of the Wool Follicle," Aust. J. Biol. Sci., (1966) pp. 319-33, Vol. 19.	
		G. E. ROGERS, et al., "Keratin Protofilaments and Riobsomes from Hair Follicles," Nature, (January 2, 1965), pp. 77-78, Vol. 205.	
		P.M. STEINERT, et al., "In Vitro Studies on the Synthesis of Guinea Pig Hair Keratin Proteins," Biochimica et Biophysica Acta, (1973) pp. 403-412, Vol. 312.	
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Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 7 of 9

Complete if Known

Application Number	10/626,907
Filing Date	07/25/2003
First Named Inventor	MARK VAN DYKE
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	SWRI-2966-03

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

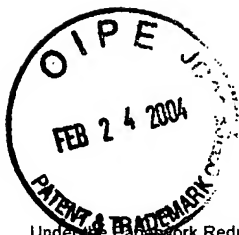
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 8 of 9		Complete if Known	
		Application Number	10/626,907
		Filing Date	07/25/2003
		First Named Inventor	MARK VAN DYKE
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	SWRI-2966-03

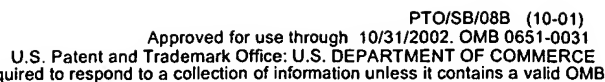
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
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Sheet	9	of	9
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First Named Inventor	MARK VAN DYKE
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	SWRI-2966-03

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Applicant: VAN DYKE, ET AL.

Group Art Unit: N/A

Serial No.: 10/626,907

Examiner: N/A

Filing Date: July 25, 2003

Atty. Docket No.: SwRI-2966-03

Title: Bioactive Coating For Medical Devices